

# **Family Group Day Care Homes Regulations**

## **REGULATIONS FOR LICENSURE**



### **STATE OF RHODE ISLAND DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

**1988**

# **Family Group Day Care Homes Regulations**

## **DEFINITION**

A FAMILY GROUP DAY CARE HOME means a residence occupied by an individual of at least twenty-one (21) years of age who provides care for not less than nine (9) and not more than twelve (12) children, with the assistance of one or more approved adults, for any part of a twenty-four (24) hour day. The maximum of twelve (12) children shall include children under six (6) years of age who are living in the home, unrelated children under six (6) years of age received for care, school age children under the age of twelve (12) years, whether they are living in the home or are received for care, and children related to the provider who are received for care. These program shall be subject to yearly licensing as addressed in Chapter 42-72.1 of the General Laws of Rhode Island and shall comply with all applicable state and local fire, health, and zoning regulations.

## **LICENSING REQUIREMENTS**

### **1. APPLICATION**

An application for licensing shall be filed on the prescribed forms provided by the Day Care Licensing Office of the Department for Children and Their Families.

### **2. MEDICAL REFERENCE**

At the time of application, the provider and assistant(s) shall file a statement from a licensed physician that they have had a medical examination within the past six months, are in good health, and are able to care for children. In addition, prior to licensing, the provider and assistant(s) shall obtain a report from a licensed physician that they are free from tuberculosis based on a negative (<10 mm induration) Mantoux (PPD) tuberculin skin test.

### **3. CRIMINAL RECORDS AND EMPLOYMENT HISTORY VERIFICATION**

The provider and assistant(s) shall file notarized Criminal Records and Employment History affidavits. In addition, the provider and assistant(s) shall file evidence of having been fingerprinted by the State police or local police in accordance with 40-13.2 of the General Laws of Rhode Island.

### **4. SCREENINGS**

Upon receipt of the completed application materials, the Department will screen the provider and all members of the provider's household through the Attorney General's Office, Division of Criminal Identification, and through the Master File of the Department for Children and Their

Families. Proposed assistants will also be subject to these screenings. Results of the screenings could be grounds for the denial of licensure.

## **5. FIRE. HEALTH. AND BUILDING INSPECTIONS**

The applicant's home where the day care will be provided shall be approved by the State Fire Marshal as being in compliance with the applicable section of the State Fire Code; by the Health Department as being in compliance with applicable health and sanitation codes; and by the local Building Inspector as being in compliance with the State Building Code.

## **6. ZONING**

The applicant shall demonstrate that they are in compliance with local zoning ordinances or have obtained a variance from such ordinances.

## **7. LICENSING INSPECTION**

Prior to the issuance of a license, an inspection visit will be made to the applicant's home where the day care will be provided in order to determine compliance with the Standards For Licensure.

# **PROVISIONAL LICENSE**

Upon successful completion of the above-stated licensing requirements, the applicant shall be issued a Provisional License which shall be valid for six months. Prior to the expiration of this license, the operation of the program will be evaluated by a Department representative or other authorized individual.

# **LICENSURE**

Prior to the expiration of the Provisional License, the Department will review the operation of the program. If it is determined to be operating in full compliance with licensing regulations, a full License will be issued which will be valid for a period of up to one year. If there are areas of noncompliance, the Department may require the program to cease operation or may issue a Probationary License which is valid for a limited period of time, during which period the program must come into full compliance with the Standards For Licensure. A Probationary License shall not be issued when the area(s) of noncompliance constitute a danger to the health and/or safety of the children in care.

# **VARIANCE**

The Administrator of Licensing may allow a variance to a regulation upon the submission of a written request for such, and supporting documentation as deemed necessary, providing that the variance in no way jeopardizes the health, safety and well-being of the children in care.

## **GUIDELINES FOR THE REVOCATION OR DENIAL OF A LICENSE**

A license may be denied or revoked for the following reasons:

1. The provider, assistant(s), or other permanent member of the provider's household has been indicated for child abuse or neglect.
2. Children of the provider or assistant(s) have been adjudicated dependent, wayward, disobedient, delinquent or chronically truant.
3. The provider or assistant(s) has a documented history of chemical or alcohol abuse within the past seven years.
4. The provider or assistant(s) fails to comply with duly promulgated group day care home regulations.
5. The provider or assistant(s) fails to cooperate with the department in determining whether regulations have been met.
6. The provider, assistant(s), or other adult member of the provider's household has been convicted of, or is serving an active probationary sentence for, a criminal offense listed in the Appendix.

## **I. LEGAL AUTHORITY: CHAPTER 72.1 OF THE GENERAL LAWS OF RHODE ISLAND**

### **72.1 LICENSING AND MONITORING OF CHILD CARE PROVIDERS AND CHILD-PLACING AGENCIES**

Section.

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42-72.1-1. Statement of purpose. - The director of the department for children and their families, pursuant to 42-725(8), shall establish within the department a unit to license and monitor child care providers and child-placing agencies, to protect the health, safety and well being of children temporarily separated from or being cared for away from their natural families. Services for children requiring licensure under this chapter shall include all child care providers and child placing agencies which offer services within the state, except as defined in 4272 1-5 of this chapter.

42-72.1-2. Definitions. - As used in this chapter:

(1) "Administrator of licensing" means the director of licensing unit (or his/her designees which carries out the provisions of this chapter, hereafter referred to as administrator.

(2) "Applicant" means a child-placing agency or child care provider that applies for a license to operate.

(3) "Child" means any person less than eighteen (18) years of age, provided that a child over eighteen (18) years of age who is nevertheless subject to continuing jurisdiction of the family court, pursuant to chapter 1 of title 14 or defined as emotionally disturbed according to chapter 7 of title 40.1, herein shall be considered a child for purposes of this chapter

(4) "Child care provider" means a person or agency which offers residential or nonresidential care and/or treatment for a child outside of his/her natural home.

(5) "Child-placing agency" shall mean any private or public agency which receives children for placement into independent living arrangements, supervised apartment living, residential group care facilities, family foster homes or adoptive homes.

(6) "Child day care" means daily care and/or supervision offered commercially to the public for any part of a twenty-four (24) hour day to children away from their homes.

(7) "Child day care center" means any person, firm, corporation, association or agency who, on a regular or irregular basis, receives any child under the age of sixteen (16) years, for the purpose of care and/or supervision, not in a home or residence, apart from his parent or guardian for any part of a twenty-four (24) hour day irrespective of compensation or reward. It shall include child care programs that are offered to employees at the worksite. It does not include nursery schools or other programs of educational services subject to approval by the commissioner of education.

(8) "Family day care home" means any home other than the child's home in which child day care in lieu of parental care and/or supervision is offered at the same time to four (4) or more children who are not relatives of the care giver.

(9) "Department" means the department for children and their families (DCF).

(10) "Director" means the director of the department for children and their families, or his/her designee.

(11) "Licensee" means any person, firm, corporation, association or agency which holds a valid license under this chapter.

(12) "Regulation" means any requirement for licensure, promulgated pursuant to this chapter having the force of law.

(13) "Related" means any of the following relationships, by marriage, blood or adoption, even following the death or divorce of a natural parent: parent, grandparent, brother, sister, aunt, uncle, and first cousin. In a Prosecution under this chapter or of any law relating thereto, a defendant who relies for a defense upon the relationship of any child to himself, said defendant shall have the burden of proof as to such relationship.

(14) "Group family day care home" means a residence occupied by a state certified individual and assisted by a minimum of one (1) state approved assistant. The provider must be at least twenty-one years old and must provide care for not less than nine (9) and not more than twelve (12) children for any part of a twenty-four (24) hour day.

#### 42-72.1-3. Powers and scope of activities. -

(1) The department shall issue, deny and revoke licenses for, and monitor the operation of, facilities and programs by child placing agencies and child care providers, as defined in [42-72.1-2].

(2) The department shall adopt, amend and rescind regulations in accordance with this chapter and implement its provisions. Such regulations shall be promulgated and become effective in accordance with the provisions of the administrative procedures act.

(3) The department through its licensing unit shall administer and manage the regulations pertaining to the licensing and monitoring of such agencies, and shall exercise all statutory and administrative powers necessary to carry out its functions.

(4) The administrator shall investigate complaints of noncompliance, and shall take such licensing action as required.

(5) Regulations formulated pursuant to the foregoing authority shall include, but need not be limited to, the following:

(a) financial, administrative and organizational ability, and stability of the applicant;

(b) compliance with specific fire and safety codes and health regulations;

- (c) character, health suitability, qualifications of child care providers;
  - (d) staff/child ratios and workload assignments of staff providing care or supervision to children;
  - (e) type and content of records or documents that must be maintained to collect and retain information for planning and caring for children;
  - (f) procedures and practices regarding basic child care and placing services to ensure protection to the child regarding the manner and appropriateness of placement;
  - (g) service to families of children in care;
  - (h) program activities, including components related to physical growth, social, emotional, educational and recreational activities, social services and habilitative or rehabilitative treatment;
  - (i) investigation of previous employment, criminal record check and department records check;
- (6) The administrator may:
- (a) prescribe such forms for reports, statements, notices and other documents as are deemed necessary;
  - (b) prepare and publish manuals and guides explaining this chapter and the regulations to facilitate compliance with and enforcement of the regulations;
  - (c) prepare reports and studies to advance the purpose of this chapter;
  - (d) provide consultation and technical assistance, as requested, to assist licensees in maintaining compliance;
  - (e) refer to the advisory council for children and families for advice and consultation on licensing matter

#### 42-72.1-4. License required.

- (1) No person shall provide continuing full-time care for a child apart from his parents, or receive or place children in child care services, including day care arrangements, without a license issued pursuant to this chapter. This requirement does not apply to a person related by blood, marriage, guardianship or adoption to the child, unless such arrangement is for purposes of day care.
- (2) The licensing requirement does not apply to shelter operations for parents with children, boarding schools, recreation camps, nursing homes, hospitals, maternity residences and centers for developmentally disabled children.
- (3) No person, no firm, corporation, association, or agency, other than a parent shall place, offer to place, or assist in the placement of a child in Rhode Island, for the purpose of adoption, unless

such person, firm, corporation or agency shall have been licensed for such purposes by the department or is a governmental child-placing agency, and such license shall not have been rescinded at the time of placement of a child for the purpose of adoption. The above does not apply when a person, firm, corporation, association or agency places, offers to place, or assists in the placement of a child in Rhode Island, for the purpose of adoption through a child-placement agency duly licensed for child-placement in the state of Rhode Island or through the department for children and their families, nor when such child is placed with a father, sister, brother, aunt, uncle, grandparent or stepparent of the child.

(4) No parent shall assign or otherwise transfer to another not related to him/her by blood or marriage, his/her rights or duties with respect to the permanent care and custody of his/her child under eighteen (18) years of age unless duly authorized so to do by an order or decree of court.

(5) No person shall bring or send into the state any child for the purpose of placing him/her out, or procuring his/her adoption, or placing him/her in a foster home without first obtaining the written consent of the director and such person shall conform to the rules of the director and comply with the provisions of the Interstate Compact on the Placement of Children.

(6) No person, firm, corporation, association or agency shall operate a family day care home without a registration certificate issued by the department.

(7) No state, county, city or political subdivision shall operate a child placing or child care agency, program or facility without a license issued pursuant to this chapter.

(8) No person shall be exempt from a required license by reason of public or private, sectarian, non-sectarian, court operated child placement of child-care program, for Profit or non-profit status, or by any other reason of funding, sponsorship or affiliation.

42-72.1-5. General licensing provisions. - The following general licensing provisions shall apply:

(1) A license issued under this chapter is not transferable and applies only to the licensee and the location stated in the application and remains the property of the department. A license shall be publicly displayed. A license shall be valid for one (1) year from the date of issue and upon continuing compliance with the regulations, except that a certificate issued to a family day care home shall be valid for two (2) years from date of issue.

(2) A licensee shall comply with applicable state fire and health safety standards.

(3) The department may grant a provisional license to an applicant who is not able to demonstrate compliance with all of the regulations because the program or residence is not in full operation; however, said applicant must meet all regulations that can be met in the opinion of the administrator before the program is fully operational. The provisional license shall be granted for a limited period not to exceed six (6) months and shall be subject to review every three (3) months.

(4) The department may grant a probationary license to a licensee who is temporarily unable to comply with a rule or rules when the noncompliance does not present an immediate threat to the



health and well-being of the children, and when the licensee has obtained a plan approved by the administrator to correct the areas of noncompliance within the probationary period. A probationary license shall be issued for up to twelve (12) months; it may be extended for an additional six (6) months at the discretion of the administrator. A probationary license that states the conditions of probation may be issued by the administrator at any time for due cause. Any prior existing license is invalidated when a probationary license is issued. When the probationary license expires, the administrator may reinstate the original license to the end of its term, issue a new license or revoke the license.

(5) The administrator will establish criteria and procedure for granting variances as part of the regulations.

(6) The above exceptions (probationary and provisional licensing and variances) do not apply to and shall not be deemed to constitute any variance from state fire and health safety standards.

#### 42-72.1-6. Violations, suspensions and revocations of license.

(1) When a licensee violates the terms of the license, the provisions of this chapter, or any regulation thereunder, the department may pursue the administrative remedies herein provided, in addition to other civil or criminal remedies according to the general laws.

(2) After notice and hearing, as provided by the administrative procedures act, the administrator may revoke the license, or suspend the license for a period not exceeding six (6) months.

(3) During a suspension the agency, facility or program shall cease operation.

(4) To end a suspension, the licensee shall, within thirty (30) days of the notice of suspension submit a plan of corrective action to the administrator. Such plan shall outline the steps and timetables for immediate correction of the areas of noncompliance and is subject to approval of the administrator.

(5) At the end of the suspension, the administrator may reinstate the license for the term of the original license, revoke the license, issue a new license, or deny a reapplication.

(6) Upon revocation, the licensed agency, program or facility shall cease operation. The licensee whose license has been revoked may not apply for a similar license within a three (3) year period from the date of revocation.

#### 42-72.1-7. Penalties for violations.

(1) Any person who violates any of the provisions of this chapter, or any regulations issued pursuant to this chapter, or who shall intentionally make any false statement or reports to the director with reference to the matters contained herein, shall, upon conviction for the first offense, be imprisoned for a term not exceeding six (6) months or be fined not exceeding five hundred dollars (\$500), or both and for a second or subsequent offense, shall be imprisoned for a term not exceeding one (1) year or be fined not exceeding one thousand dollars (\$1000) or both such fine and imprisonment.

(2) Anyone who maintains or conducts such a program, agency or facility without first having obtained a license as herein provided, or who maintains or conducts such a program, agency or facility after a license has been revoked or suspended or who shall refuse to permit a reasonable inspection and examination of such program, agency or facility, as herein provided, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500) for each week that such program, agency or facility shall have been maintained without a license or for each refusal to permit inspection and examination by the director.

(3) Any individual firm, corporation or other entity who maintains or conducts a family day care home without first having obtained a registration certificate for the home as provided herein, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each week that such home shall have been maintained without a valid registration certificate .

(4) The department shall refer any such violations to the attorney general s office for prosecution.

42-72.1-8. Open door policy. - There shall be an open door policy permitting any custodial parent or legal guardian to have access to a day care facility for any program when their child is in attendance.

## **II. STANDARDS FOR LICENSURE**

### **STANDARD ONE: NUMBER OF CHILDREN IN CARE AND THEIR SUPERVISION**

1. A provider who is operating a family group day care home shall care for no more than twelve (12) children at any one time. The provider's own children living in the home under the age of six (6) years shall be included in this number. School age children under the age of twelve (12) years shall also be counted in this number while they are in attendance.

The provider's own children under the age of twelve (12) years who are present in the home for three hours or more during the period that day care is provided, shall be counted in determining the maximum number of children to be served.

2. There shall be an approved assistant in the home, assisting the provider with the care of the children, at all times when day care is being provided.
3. There shall be no more than eight (8) children under the age of two years in care at any time. When there are more than four (4) children under two years of age in care, the provider shall have two (2) approved assistants in the home who are directly involved with the care of the children.
4. The following staff/child ratios shall be maintained at all times in a family group day care home:  
0 - 2 years, 1 : 4  
2 years and older, 1 : 6

5. The provider, whose name appears on the license, shall be on the premises, directly involved with the care of the children, at all times when care is being provided.

The provider shall submit a written request to the Day Care Licensing Unit for approval if they are going to be out of the home while care is being provided. This request shall be submitted prior to the provider being off the premises. Such a request will be considered only for educational or health related purposes and only for appointments or classes which cannot be scheduled when child care is not being provided.

6. The provider shall be responsible for the supervision of their assistant(s) and shall insure that the assistant(s) is directly involved with the care of the children.
7. The provider shall have a plan for handling emergencies and shall have at least two (2) persons who are available to be called upon for assistance in an emergency. The assistant(s) shall be familiar with this plan and be able to implement it if necessary.

The provider or assistant shall notify the Day Care Licensing Unit in the event of an emergency which lasts into the next business day.

8. The provider and assistant(s) shall not be engaged in any other employment while children are in their care.
9. The provider and assistant(s) shall not have children in care directly following all-night employment.
10. The provider and assistant(s) shall at no time leave a child unsupervised in a crib, infant seat, playpen, or walker.
11. Adult supervision shall be provided at all times when children are in a bathtub or shower or are playing in or around water.

## **STANDARD TWO: QUALIFICATIONS OF THE PROVIDER AND ASSISTANT(S)**

1. The provider shall be at least twenty-one (21) years of age. Assistants shall be at least eighteen (18) years of age.
2. The provider shall show evidence of meeting one of the following criteria:
  - (a) Hold a degree at the Associate's level or beyond from an approved/accredited post-secondary institution in Child Development, Early Childhood Education, or a field directly related to the care of young children, eg: Nursing.
  - (b) Hold a Child Development Associate Certificate (CDA) in Family Day Care.
  - (c) Hold a certificate (one year) in Child Development from an approved/accredited post-secondary institution and have, at least, two (2) years of satisfactory experience operating a certified/licensed home day care program.
  - (d) Hold a high school diploma or its equivalent, and show evidence of having successfully completed a minimum of three (3) courses related to the care of young children at an approved/accredited post-secondary institution, and have a minimum of five (5) years of satisfactory experience operating a certified/licensed home day care program.

3. An assistant shall show evidence of having had training and/or experience in caring for young children.

Training shall be three (3) completed courses at the secondary or post-secondary level in the area of Child Development or Early Childhood Education.

Qualifying experience shall consist of at least one year of successful employment in an early childhood program such as a certified/licensed family day care home, a day care center, a nursery school, or a head start program.

4. The provider and assistant(s) shall show evidence of having attended a minimum of eight (8) hours of training per calendar year. This training shall be in the provision of family day care, family day care administration, child development, or early childhood education. It may include workshops, professional conferences, or course work at the post-secondary level.
5. The provider, family members in the home, and assistant(s), shall be in good physical, mental, and emotional health.
6. The provider and assistant(s) shall not drink alcoholic beverages while children are in care, nor shall they be in an intoxicated condition while providing child care.

### **STANDARD THREE: PHYSICAL SPACE AND HOME SAFETY**

1. There shall be sufficient indoor space to allow for thirty-five (35) square feet of space per child in care.

This space shall be on the first floor, ground level of the home and shall be free of furniture except that which is used for the children's purposes.

This space shall be exclusive of bathrooms, hallways, kitchen, and any other rooms which are used for other than activities of the children in care.

There shall be adequate open space available to allow for program activities and freedom of movement by the children.

Provisions for sleeping/napping shall be made on the first floor of the home.

2. Children shall not be cared for in the cellar or basement area of a home unless there are two exits from the area, one of which shall be a door leading directly to the outside. The area shall be at ground level, not below, to be approved for child care.
3. There shall be an outdoor play area which provides a minimum of seventy-five (75) square feet of space per child in care.

The outdoor area shall be safe, kept free of hazards, and enclosed by fencing of at least four (4) feet in height.

The outdoor area shall be easily accessible to the indoor play area and bathroom.

4. Outdoor play shall be directly supervised by the provider and/or assistant(s) at all times.
5. There shall be a minimum of one toilet and one sink for the children's use located in or adjacent to the area where the child care is provided

Training chairs may be used if emptied and sanitized after each use. Training chairs shall not be considered a substitute for the required toilet.

Toilets and training chairs shall be located in rooms separate from those used for cooking and eating.

6. There shall be a diaper changing area which is separate and apart from kitchen counters and dining tables.

There shall be a hand washing sink located adjacent to the diaper changing area. Hands shall be washed with soap and warm water before and after each diaper change.

The diaper changing area shall be cleaned and sanitized after each use.

7. There shall be hot and cold running water available for the care of the children. If the water supply is not from a public source, it shall be tested and approved by the RI Department of Health
8. The home shall have a heating system capable of maintaining a temperature range of 65 degrees to 68 degrees.

All heating elements, including hot water pipes and radiators in areas used by children shall be insulated, protected, or barricaded so that they will not be a danger to the children and will not be a fire hazard.

9. All electrical outlets shall be covered when not in use. Electrical cords shall be taped or fastened so that they are not a hazard to children. Electrical cords shall not be frayed or damaged.
10. All firearms shall be registered with the appropriate authorities. They shall be stored, unloaded, under lock, in a place which is inaccessible to children. Ammunition shall be stored separately under lock.
11. Swimming pools shall be securely fenced off from the outdoor play area to prevent access by the children.

All pools, including wading pools, shall only be used under the supervision of the provider or assistant(s).

Written parental permission shall be secured by the provider prior to taking a child into a pool.

12. There shall be a telephone, other than a pay phone, in the home. The phone shall be kept in working order, and shall be readily available for use in case of an emergency.

Emergency phone numbers, including the local fire and police departments, emergency room or hospital, family physician and poison center shall be posted in a conspicuous place, adjacent to the phone.

13. The provider shall maintain current certification in First Aid and CPR and have documentation of such.

There shall be a First Aid kit in the home which shall be kept out of reach of the children, but shall be readily available to the provider and assistant(s) in case of an emergency.

Assistant(s) shall have, at least, a basic knowledge of first aid.

14. When children under the age of two years are in care, there shall be cribs for sleeping and napping which are equipped with wheels for ease of evacuation in case of an emergency.
15. The provider shall have an emergency plan for the evacuation of the children from the home in case of fire or other disaster. The assistant(s) shall be knowledgeable of this plan and practice evacuations shall take place once a month.
16. All medicines, drugs, cleaning materials, detergents, aerosol cans, matches, and other substances which could be a danger to children shall be stored out of reach of the children, in their original containers, and used in such a way that shall not contaminate play surfaces, food or food preparation areas, or generally constitute a hazard to children.
17. Food shall be properly stored and/or refrigerated.
18. Stairways that are used by children shall be well lighted and kept clear of obstructions. In homes where children under three years of age are in care, there shall be a gate which is kept securely fastened at the entry to any stairway accessible to children.
19. Each room used by children shall have sufficient ventilation and lighting. There shall be windows to allow for natural lighting, in addition to artificial lighting.

All doors and windows which are used for ventilation shall be securely screened.
20. There shall not be any peeling or damaged paint or plaster in the rooms which are accessible to the children.
21. The home shall be maintained in good repair and in a clean, sanitary, and hazard-free condition.

#### **STANDARD FOUR: HEALTH AND NUTRITION**

1. Prior to admission, or within sixty (60) days thereafter, the provider shall obtain from each parent or guardian, evidence that their child has been or is being immunized in accordance with the recommended schedule of the Department of Health against diphtheria, tetanus, pertussis, poliomyelitis, measles (or have had natural measles), mumps, and rubella.
2. Prior to admission, or within sixty (60) days thereafter, the provider shall obtain from each parent or guardian, a statement signed by a licensed physician that the child is in good health, and indicating any allergies or other conditions which would require special care.

3. The provider shall obtain from the parent or guardian of each child, prior to admission, the name, address, and telephone number of the child's physician or health care provider. Written parental permission should be obtained to contact the physician, if necessary, regarding the health of the child.
4. If a child with a handicapping condition or special needs is accepted for care, the provider shall obtain from the parent or guardian written recommendations for any specialized care that the child may require. These recommendations should come from or be endorsed by the child's physician or other authorized professional who has evaluated or treated the child.
5. The provider shall not administer any medication to a child without written parental permission.

Prescription medication shall not be administered to a child without the written order of a physician. A labeled prescription bottle with the child's name, current date, and dosage shall be considered acceptable.

Non-prescription medication shall not be administered to a child for more than two (2) consecutive weeks without the written authorization of a physician.

6. The provider shall have on file for each child in care an Emergency Treatment form signed by the parent or guardian. This form shall only be used in the event of an emergency when the parent cannot be reached.
7. The provider shall serve nutritional mid-morning and mid-afternoon snacks to the children in care.

Nutritional meals, in addition to snacks, shall be served to children in care over meal times

8. The provider shall have drinking water readily available to the children during the time that they are in care.
9. The provider shall have an agreement established with a licensed physician for consultative services. The provider shall have access to these services during the time that the children are in care.

#### **STANDARD FIVE: PROGRAMMING AND ACTIVITIES**

1. The provider shall prepare and carry out a written program of daily activities which is suited to the age levels and developmental stages of the children in care. This program shall be flexible, shall demonstrate an understanding of the needs of the children, and provide for their growth through enriching and stimulating experiences. The daily routine shall include all of the following:
  - Active and quiet play;
  - Indoor and outdoor play as weather permits;
  - Health routines such as toileting, handwashing, toothbrushing, resting or sleeping, and eating
2. The provider shall have available a variety of equipment and materials appropriate to the age and developmental level of the children served for indoor and outdoor play. All such items shall be free from hazards such as lead paint, protruding nails, or rust, which may be dangerous to children and shall be kept in good repair.

Infants and toddlers shall be protected from objects which could be swallowed.

Toys that explode or shoot, such as caps, guns, darts, and balloons shall not be allowed.

All outdoor sandboxes shall be kept covered when not in use.

3. Consistent and timely attention shall be given to the physical and nutritional needs of the children, including diapering, washing, the use of weather-appropriate clothing, and provision of nutritional food and drink.
4. The provider shall have a written discipline policy which is consistent with the Standards for Family Group Day Care Homes and which shall be approved by the Department prior to licensing.

The assistant(s) shall have knowledge of the approved policy and shall act accordingly in all interactions with the children.

The discipline policy shall be reviewed with the parent or guardian of a child entering the home and the provider shall make a copy available to the parent at their request.

The provider and assistant(s) shall not hit the children or engage in any form of corporal punishment.

Children shall not be subjected to cruel or severe punishment, humiliation or verbal abuse.

Children shall not be deprived of meals or snacks as a form of discipline.

Children shall not be punished for soiling, wetting, or not using the toilet.

## **STANDARD SIX: ADMINISTRATION**

1. Prior to admission of a child, the provider shall obtain in writing from the parent or guardian the following information.
  - the child's full name, address, and verified date of birth;
  - the name, address, and phone number of the parent or guardian;
  - the address and phone number where the parent or guardian can be reached during the hours that the child is in care;
  - the names, addresses, and phone numbers of two relatives or friends who can be contacted in an emergency if the parent or guardian cannot be reached;
  - permission for the provider to act in an emergency (Refer to Standard Four, #6);
  - the names and addresses of all persons who are authorized to take the child from the day care home;
  - the child's eating and sleeping habits, food preferences, allergies and any special medical or emotional problems;
  - the name, address, and phone number of the child's physician or health care provider and permission to contact said physician or health care provider (Refer to Standard Four, #3);
  - the name of any health insurance plan and policy number under which the child is covered.



2. The provider shall obtain written permission from the parent or guardian to take the child off the premises of the day care home. Such permission shall be obtained prior to the activity.
3. Transportation of the children by the provider and/or the assistant(s) shall follow the State laws and regulations of the Rhode Island Registry of Motor Vehicles and be covered by liability insurance.

Children three years of age and younger shall be transported in a federally approved child restraint system.

Children shall not be left unattended in a vehicle.

Station wagon tailgates and rear windows shall be kept closed at all times when children are being transported

4. The provider shall maintain a separate record for each child in care. The record shall contain all information gathered on the child including medical forms, emergency treatment forms, parent agreement and permission forms, etc.
5. The provider shall have liability insurance which covers accidents occurring in the home to the children in care.
6. All information about a child in care shall be kept confidential and shall not be released to any person without the written permission of the parent or guardian.
7. The provider shall notify the parent immediately in the event of an emergency which requires that the child have medical attention.
8. The provider shall notify all parents whenever a reportable communicable disease has been introduced into the home. Questions about such disease shall be directed to the Division of Disease Control, RI Department of Health.
9. The provider shall notify the parent when a child becomes ill in care.
10. The provider shall post the Family Group Day Care Home License in a prominent place in the home where it is visible to parents.

The provider shall make the Standards for Family Group Day Care Homes available to prospective parents and the parents of the children in care.

11. The provider and assistant(s) shall report any cases, or suspected cases, of child abuse and/or neglect to the Department For Children, Youth and Their Families (1-800-RI-CHILD) in accordance with state law.
12. The provider shall allow Department representatives entrance into the home at any time that child care is being provided. The Department representative shall be allowed to inspect the home to determine compliance with the Standards and shall be allowed access to all records kept by the provider related to the child care operation.
13. The provider shall not discriminate in providing child care on the basis of race, religion, cultural heritage, sex, handicap, or marital status of the parent.

14. The provider shall not advertise as a day care center, nursery school, or pre-school. Any advertisement shall contain the wording "Family Group Day Care Home".